IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 505 OF 2004

M/S GARWARE GOA,NETS LTD.,CORLIM GOA. ....Petitioners

Versus

THE REGIONAL PROVIDENT FUND COMMISSIONER AND ANR., ...Respondents

Mr. Vijay Palekar, Advocate for the petitioner.

Ms. Andrea Fernandes holding for Ms. Winnie Coutinho, Addl. Central Govt. Standing Counsel for the respondents.

Coram:- S.S. PARKAR, J.

Date:- 13th July, 2005

P.C.

According to the learned Counsel for the petitioner, this petition was filed in this Court because the Presiding Officer of the Appellate Tribunal, was not appointed. Now the Presiding Officer of the Appellate Tribunal, has been appointed and the petitioner wants to file an appeal as provided by the statute. The learned Counsel states that the petitioner will file an appeal before the Appellate Tribunal within a period of one month from today. If the appeal is filed within one month from today, the respondents agree not to raise an issue of limitation and, therefore if the appeal is filed within one month from today by the petitioner, the same will be decided by the Appellate Tribunal, in accordance with law, without raising the issue of limitation.

After filing of the appeal before the Appellate Tribunal, the sum of Rs.14,00,000/- deposited in this Court shall be transferred to the credit of the appeal that will be filed before the Provident Fund Appellate Tribunal. Accordingly, the petition shall stand dismissed as withdrawn.

S.S. PARKAR, J.